

PRODUCT: 10 cartons, each containing 25 pounds, of chili pods at Amarillo, Tex.

This product contained moths, larvae, webbing, insect excreta, and moldy peppers.

LABEL, IN PART: (Cartons) "Gentry's Fancy Mexican Chili Pods."

VIOLATION CHARGED: Adulteration, Section 402 (a)(3), the product consisted in whole or in part of a filthy and decomposed substance.

DISPOSITION: October 6, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

6984. Adulteration of coriander seed. U. S. v. 4 Bags of Coriander Seed. Decree of condemnation and destruction. (F. D. C. No. 13106. Sample No. 69186-F.)

LABEL FILED: August 2, 1944. District of Colorado.

ALLEGED SHIPMENT: On or about April 22, 1943, by the Thomson & Taylor Division, the Warfield Co., from Chicago, Ill.

PRODUCT: 4 100-pound bags of coriander seed, at Brighton, Colo.

LABEL, IN PART: "Whole Bleached Coriander Seed."

VIOLATION CHARGED: Adulteration, Section 402 (a)(3), the product consisted in whole or in part of a filthy substance by reason of the presence of beetles, beetle fragments, and insect-eaten seeds.

DISPOSITION: August 15, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

6985. Adulteration and misbranding of garlic flavoring. U. S. v. 1 Drum of Garlic Flavoring. Default decree of condemnation and destruction. (F. D. C. No. 11913. Sample No. 62409-F.)

LABEL FILED: February 26, 1944, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about December 3, 1943, by Basic Food Materials, Inc., from Cleveland, Ohio.

PRODUCT: 1 drum, containing 25 pounds, of garlic flavoring at St. Louis, Mo.

LABEL, IN PART: "Basic Food Materials BFM Soluble Garlic Flavoring."

VIOLATIONS CHARGED: Adulteration, Section 402 (b)(2), a substance containing asafetida had been substituted in whole or in part for soluble garlic flavoring.

Misbranding, Section 403 (a), the label statement, "Soluble Garlic Flavoring Ingredients containing in a refined carrier of salt (sodium chloride), the natural flavoring substances, essential oils and extractives of the following: True Distilled Oil of Garlic 1 oz. of this material is approximately the equivalent of 10 ozs. of fresh garlic," was false and misleading as applied to an article containing asafetida.

DISPOSITION: April 19, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

6986. Adulteration of mustard bran. U. S. v. 65 Bags of Mustard Bran. Default decree of condemnation and destruction. (F. D. C. No. 12075. Sample No. 72674-F.)

LABEL FILED: March 23, 1944, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about October 16, 1941, by the McCormick Sales Co., from Baltimore, Md.

PRODUCT: 65 bags, each containing approximately 72 pounds, of mustard bran at St. Louis, Mo.

VIOLATION CHARGED: Adulteration, Section 402 (a)(3), the product consisted in whole or in part of a filthy substance by reason of the presence of larvae, cast skins, and insect fragments.

DISPOSITION: May 27, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

6987. Adulteration of mixed pickling spice. U. S. v. 8 Bags of Mixed Pickling Spice. Default decree of condemnation and destruction. (F. D. C. No. 13651. Sample No. 71340-F.)

LABEL FILED: September 16, 1944, District of Oregon.

ALLEGED SHIPMENT: On or about July 22, 1944, by the Crescent Manufacturing Co., from Seattle, Wash.

PRODUCT: 8 100-pound bags of mixed pickling spice, at Portland, Oreg.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of beetles and insect excreta.

DISPOSITION: November 15, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

6988. Adulteration of cream of tartar. U. S. v. 5 Drums of Cream of Tartar. Default decree of condemnation and destruction. (F. D. C. No. 10965. Sample No. 50607-F.)

LIBEL FILED: October 18, 1943, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about April 17, 1943, by the Legion Products Co., from New York, N. Y.

PRODUCT: 5 drums of cream of tartar at Philadelphia, Pa.

LABEL, IN PART: "Cream of Tartar Mfd. By the Bocker Chemical Co. Morganville, N. J."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (2), in the case of a portion of the article (1 drum), a mixture of sodium bicarbonate and tartaric acid had been substituted wholly for cream of tartar.

The article was also alleged to be adulterated under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices.

DISPOSITION: February 21, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered sold. On May 15, 1944, the decree was amended to provide for the destruction of the product.

6989. Misbranding of cream of tartar. U. S. v. 21 Dozen Packages of Cream of Tartar (and 1 other seizure action against cream of tartar). Default decrees of condemnation. Portion of product ordered delivered to a charitable institution; remainder ordered destroyed. (F. D. C. Nos. 10781, 11072. Sample Nos. 35613-F, 35631-F.)

LIBELS FILED: September 16, 1943, Southern District of Georgia; November 11, 1943, Eastern District of South Carolina.

ALLEGED SHIPMENT: On or about April 13 and July 27, 1943, by the Crescent Sales Co., from Jacksonville, Fla.

PRODUCT: 9 dozen packages of cream of tartar at Charleston, S. C., and 21 dozen packages at Savannah, Ga.

VIOLATIONS CHARGED: Misbranding, Section 403 (a), the statement on the label of the article, "Net Weight 1 Ounce," was false and misleading as applied to an article which was short-weight; Section 403 (e) (2), the label of the article failed to bear an accurate statement of the quantity of the contents; and, Section 403 (d), the container with respect to one portion of the article was so filled as to be misleading, since the article occupied only approximately 35 percent of the total capacity of the container.

The article was also alleged to be misbranded under the provisions of the law applicable to drugs, as reported in the notices of judgment on drugs and devices, No. 1142.

DISPOSITION: October 28, 1943, and January 8, 1944. No claimant having appeared, judgments of condemnation were entered and a portion of the product was ordered delivered to a charitable institution and the remainder was ordered destroyed.

6990. Adulteration of miscellaneous food products. U. S. v. 100 Pounds of Marjoram, 50 Pounds of Ground Chicory, 100 Pounds of Coriander Seed, 75 Pounds of Sarsaparilla Root, and 75 Pounds of Ground Ginger Root. Default decree of condemnation and destruction. (F. D. C. No. 10177. Sample Nos. 20723-F, 20725-F, 20727-F, 20729-F, 20730-F.)

LIBEL FILED: July 2, 1943, District of Massachusetts.

ALLEGED SHIPMENT: From New York, N. Y., and Jersey City, N. J., within the period from on or about January 16, 1941, to December 9, 1942.

PRODUCT: Marjoram, ground chicory, coriander seed, sarsaparilla root, and ground ginger root, in the quantities mentioned above, at Boston, Mass., in the possession of the G. S. Cheney Co., Inc.

These products were stored, after shipment, in rooms which were overrun with rats and exceedingly filthy. Examination disclosed that the marjoram was contaminated with rodent excreta pellets; that the ground chicory contained rodent excreta pellets and dead moths; that the coriander seed contained weevils and rodent hairs, and a material proportion was worm-eaten; that the sarsaparilla root was contaminated with rodent excreta pellets; and that the ground ginger root contained a large number of dead weevils.